

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re: :  
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MATTER OF CERTAIN CLAIMS AND :  
NOTICING AGENTS' RECEIPT OF FEES IN : Misc. Pro. No. 22-00401(MG)  
CONNECTION WITH UNAUTHORIZED :  
ARRANGEMENTS WITH XCLAIM INC. :  
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**ORDER GRANTING JOINT MOTION PURSUANT TO 11 U.S.C. §§ 105(a), 327,  
AND 1103, AND BANKRUPTCY RULE 2014 FOR ENTRY OF CONSENT  
ORDER APPROVING AGREEMENTS BETWEEN CERTAIN CLAIMS AND  
NOTICING AGENTS AND THE UNITED STATES TRUSTEE**

Upon the Joint Motion (the "Joint Motion"), dated April 3, 2023 [ECF No. \_\_\_\_], of the United States Trustee, Omni Agent Solutions, Inc., Stretto, Inc., and Epiq Bankruptcy Solutions LLC (collectively, the "Claims Agents," and together with the United States Trustee, the "Parties"), pursuant to Sections 105(a), 327 and 1103 of the Bankruptcy Code, and Rule 2014 of the Federal Rule of Bankruptcy Procedure, for entry of a consent order approving the agreements (the "Agreements") annexed hereto, between the United States Trustee and each of the Claims Agents; and the Court having jurisdiction over the Miscellaneous Proceeding and the Joint Motion pursuant to 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order of Reference M-431, dated January 31, 2012 (Preska, C.J.); and due and adequate notice of the Joint Motion having been provided; and the Court having found that each of the Agreements is reasonable, fair and equitable and supported by adequate consideration; and no objection having been interposed to the Joint Motion; and the Court having held a hearing on the Joint Motion on April 17, 2023, the record of which hearing is incorporated by reference herein; and after due deliberation and sufficient cause appearing therefore, it is hereby

FOUND AND DETERMINED that:

- A. This Court has jurisdiction to hear and approve the Joint Motion.
- B. Any objections to the Joint Motion and the Agreements that have not been withdrawn or resolved, are overruled and/or waived.
- D. The Parties have acted in good faith and engaged in arms-length negotiations in connection with their determination to enter into and execute each of their respective Agreements, annexed hereto.
- E. The Agreements resolve the Parties' disputes over issues concerning sanctions against the Claims Agents related to Xclaim and the Synchronization Agreements without the need for further litigation and costs in the Miscellaneous Proceeding or in any other proceeding in any other jurisdiction, without prejudice to the United States Trustee's position in the underlying matter, and without any admission of liability, violation, or wrongdoing by the Claims Agents.

ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED AND DECREED  
That:

- 1. The Joint Motion is granted to the extent set forth herein.
- 2. Pursuant to sections 105(a), 327 and 1103 of the Bankruptcy Code, and Bankruptcy Rule 2014, each of the Agreements, and the terms therein, are approved.
- 3. The Parties are authorized to take any and all actions reasonably necessary or appropriate to consummate their respective Agreements and perform any and all obligations contemplated thereunder.
- 4. The approval of the Agreements concludes this Miscellaneous Proceeding with prejudice as to the Claims Agents, and no other or further consequences are to be imposed by

this Court on the Claims Agents regarding any past engagement or agreement with Xclaim.

5. This Order shall be effective and enforceable immediately upon its entry.

6. This Court retains exclusive jurisdiction to hear and determine any dispute regarding the interpretation or enforcement of the Agreements and all matters arising from or related to the implementation of this Order and the Miscellaneous Proceeding.

Dated: \_\_\_\_\_, 2023  
New York, New York

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HONORABLE MARTIN GLENN  
CHIEF UNITED STATES BANKRUPTCY JUDGE